IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1867 OF 2005

Smt. Shaheena Bano .. Petitioner

Vs.

The State of Maharashtra and ors. .. Respondents

Mr. A.K. Mishra for Petitioner.
Mr. A.S. Shitole, APP for Respondent-State.

CORAM: S.S. PARKAR & ANOOP V. MOHTA,JJ.

Date : August 23, 2005.

P.C.:

. Heard both sides. This petition is filed by the wife for a direction to register the complaint against respondent nos.2 and 3 who are husband and wife. The allegation by the petitioner is that respondent nos.2 and 3 have enticed away her husband and not allowing him to go to his own matrimonial house. From the perusal of the petition and the statement of the husband recorded by the Social Service Branch of the Police, it appears that the husband has got grievance against the petitioner-wife, who according to the husband has made him impossible to stay in the matrimonial house. The petitioner has made wild allegation against the respondent nos.2 and

3 about conspiracy to kill the petitioner. After recording the statement of the petitioner and respondent nos.2 and 3 as well as the husband of the petitioner, the police have registered N.C. complaint. If the petitioner-wife has got grievance against her own husband, she can avail of the remedies open to her under law.

. Considering the various circumstances, we do not think that this a case which requires interference under this extra ordinary writ jurisdiction. However, the police are directed to take cognizance of any complaint, if lodged by the petitioner-wife in future of any cognizable offence. With the said direction the petition is disposed of.

(S.S. Parkar,J.)

(Anoop V. Mohta,J.)